

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Juvenile Court Act of 1987 is amended by
5 changing Section 3-33 as follows:

6 (705 ILCS 405/3-33) (from Ch. 37, par. 803-33)

7 Sec. 3-33. Truant Minor in Need of Supervision.

8 (a) Definition. A minor who is reported by a regional
9 superintendent of schools, or except in cities of over 500,000
10 inhabitants, by the Office of Chronic Truant Adjudication, as a
11 chronic truant may be subject to a petition as and shall be
12 adjudged a truant minor in need of supervision, provided that
13 prior to the filing of the petition, a comprehensive community
14 based youth service agency shall have certified that the minor
15 has been referred to that agency for truancy intervention
16 services, and the regional superintendent or Office of Chronic
17 Truant Adjudication shall have certified that truancy
18 intervention services have not resulted in the cessation of
19 chronic truancy after 180 days of the referral for truancy
20 intervention services.

21 (a-1) There is a rebuttable presumption that a chronic
22 truant is a truant minor in need of supervision.

23 (a-2) There is a rebuttable presumption that school records
24 of a minor's attendance at school are authentic.

25 (a-3) For purposes of this Section, "chronic truant" means
26 a minor subject to compulsory school attendance and who is
27 absent without valid cause from such attendance for 10% or more
28 of the previous 180 regular attendance days, and has the
29 meaning ascribed to it in Section 26-2a of the School Code.

30 (a-4) For purposes of this Section, "truancy intervention
31 services" means services provided by a comprehensive community
32 based youth service agency that are designed to assist the

1 minor's return to an educational program, and includes
2 assessments, counseling, mental health services, shelter,
3 tutoring, and educational advocacy.

4 (b) Kinds of dispositional orders. A minor adjudicated
5 ~~found to be~~ a truant minor in need of supervision may be:

6 (1) committed to the appropriate regional
7 superintendent of schools for a multi-disciplinary case
8 staffing, individualized educational plan or service plan,
9 or referral to comprehensive community-based youth
10 services;

11 (2) required to comply with an individualized
12 educational plan or service plan as specifically provided
13 by the appropriate regional superintendent of schools;

14 (3) ordered to obtain counseling or other supportive
15 services;

16 (4) subject to a fine in an amount in excess of \$5, but
17 not exceeding \$100, and each day of absence without valid
18 cause as defined in Section 26-2a of The School Code is a
19 separate offense;

20 (5) required to perform some reasonable public service
21 work such as, but not limited to, the picking up of litter
22 in public parks or along public highways or the maintenance
23 of public facilities; or

24 (6) subject to having his or her driver's license or
25 driving privilege suspended for a period of time as
26 determined by the court but only until he or she attains 18
27 years of age.

28 A dispositional order may include a fine, public service,
29 or suspension of a driver's license or privilege only if the
30 court has made an express written finding that a truancy
31 prevention program has been offered by the school, regional
32 superintendent of schools, or a comprehensive community based
33 youth social service agency to the truant minor in need of
34 supervision.

35 (c) Orders entered under this Section may be enforced by
36 contempt proceedings.

1 (Source: P.A. 90-143, eff. 7-23-97; 90-380, eff. 8-14-97;
2 90-590, eff. 1-1-99; 90-655, eff. 7-30-98.)